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EXAMINER				
BASEHOAR, ADAM L				
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2178				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary**Application No.**

09/888,329

Applicant(s)

DAVISON, JEFF

Examiner

ADAM BASEHOAR

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/C2.06)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: The Request for Continued Examination (RCE) filed 03/26/10.
2. Claims 29-40 have been added as necessitated by the RCE.
3. Claims 1-40 are pending in this case. Claims 1 and 28 are independent claims.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 32, 34, 38, and 40 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Specification does properly provide support for either environmental variables or global variables with regard to URLs. In general, the Specification appears to be completely silent on the concept of environmental variables and global variables.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 28, 30, 31, 36, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama et al (US-6,009,436 12/28/99) in view of Bata et al (US-6,901,403 05/31/05) in further view of Maslov (US-6,538,673 03/25/03).

-In regard to substantially similar independent claims 1 and 28, Motoyama et al teach method and system (column 26, lines 26-67: e.g. "computer code generated for execution is loaded...execution by the CPU"; column 27, lines 1-14)(Fig. 19: "CPU", "RAM", "ROM", "Hard Disk") for automatically processing a markup language file having one or more portions (column 2, lines 42-49: "data processor converts a document encoded in a markup language automatically to another format"), the method comprising steps performed by a processor of (column 26, lines 26-67: e.g. "execution by the CPU"; column 27, lines 1-14)(Fig. 19):

downloading by said processor a first markup language file using the hyper text transfer protocol and referencing the first markup language file by its uniform resource location or by a name of a local file on a system on which a user is operating (column 9, lines 53-60: "browser downloads a requested HTML file...HTML file stored locally"; column 16, lines 1-15: "file name the user selects for opening"; column 31: line 23-25: "http"), said first markup language file including named tags (column 1, lines 49-67; column 2, lines 1-25);

parsing the first markup language file by said processor for one or more portions of the first markup language file (column 7, lines 6-15: "parsing"; column 8, lines 30-67: "tag of line 62 is parsed....the parser recognizes"); and

storing each portion of the first markup language file by said processor into a directory structure (column 2, lines 36-41 & 51-61: "file naming scheme...are non-directory file names...process information encoded in a structured information format...into another structured information format; column 3, lines 15-56: "transformation of an SGML document into...a database format"). Motoyama does not specifically teach wherein the markup language file containing tag names contained arbitrarily named tags and wherein the directory structure storing the markup language file contained folders, subfolders, and files, complying with the structure of the first markup language file, wherein each of the folders and subfolders depend from the tag names in the markup language file. Bata teach converting a markup language file containing arbitrarily named tags (column 4, lines 20-37: "XML...data element delimiters, such as tags"; column 18, lines 5-65; column 25, lines 3-38; column 26, lines 65-67; column 27, lines 1-60: i.e. XML allows arbitrary tag naming) and wherein the directory structure storing the markup language file contained folders, subfolders, and files, complying with the structure of the first markup language file, wherein each of the folders and subfolders depend from the tag names in the markup language file (column 4, lines 20-37: "XML...data element delimiters, such as tags"; column 18, lines 5-65; column 25, lines 3-38; column 26, lines 65-67; column 27, lines 1-60)(Figs. 8 & 9). It would have been obvious to one of ordinary skill in the art at the time of the invention for the system of Motoyama to have been able process XML documents into a matching directory structure as shown in Bata, because Bata taught that by utilizing XML data in a matching directory structure the user of Motoyama would gain the advantage of being able to more easily navigate, access, present, and manipulate data from any number of data sources

having different formats (column 39, lines 60-67) as well as the ability to maintain the dialect of the original XML document creator (column 25, lines 3-21).

Motoyama does not teach wherein the uniform resource location for a requested markup language document was specifically a URL. While Motoyama does teach wherein a processor specifically performs the functions of downloading, parsing, and storing (column 26, lines 26-67: e.g. "computer code generated for execution is loaded...execution by the CPU"; column 27, lines 1-14)(Fig. 19: "CPU", "RAM", "ROM", "Hard Disk"), Motoyama also does not specifically teach wherein the steps of downloading, parsing, and storing were automatically performed by said processor upon completion of the preceding steps. Malsov specifically teaches wherein the uniform resource location for a requested markup language document was a URL (column 8, lines 56-63: "add to the script the "Go To URL" command"...source document includes URL address")(Fig. 5) as well as taught wherein the process of downloading, parsing, and storing a requested markup language document was done automatically by a processor upon completion of each of the preceding steps (column 6, lines 5-42: "automatic periodic execution of the script...fresh...download of the source document, navigating the source document tree to the selected tree node and copying the selected source document fragment...it is done...automatically by the WebTransformer"; column 8, lines 53-55: "script that downloads the source document and transforms its fragment"; column 9, line 53-column 10, line 4: "causing the source document to be downloaded from the Internet, and fragments of these documents to be selected and copied...happens automatically according to the recorded script"; column 11, lines 4-40: "download the source online document...returned...document transformation and document digest creation...read by a robotic client that converts them to text and stores them into

database”)(Figs. 5-7). It would have been obvious to one of ordinary skill in the art at the time of the invention for the system of Motoyama to have automatically processed URL based document retrieval requests as taught in Malsov, because Malsov taught said system provided the benefits of automatic document monitoring (column 6, lines 5-28: “done...automatically...without applying any manual effort”; column 11, lines 33-40: “good way to arrange important data”).

-In regard to substantially similar dependent claims 30 and 36, Maslov teaches wherein said URL is read from a database (column 8, lines 53-62: “add to the script the “Go to URL” command that causes the browser...navigate to the source document”; column 9, lines 50-60: “script can be saved in a computer file...all this happens automatically according to the recorded script”)(Fig. 5). It would have been obvious to one of ordinary skill in the art at the time of the invention for the structured document system of the modified Motoyama to have read the URL from a database as taught in Maslov, because Malsov taught that by storing and reading the URL from the database, the system was provided the benefit of being able to automatically return to the source document periodically (column 9, lines 53-67: “automatically...run the script automatically according to a time table”).

-In regard to substantially similar dependent claims 31 and 37, Maslov teaches wherein said URL is embedded in computer program code (column 8, lines 53-62: “add to the script the “Go to URL” command that causes the browser...navigate to the source document”; column 9, lines 50-60: “script can be saved in a computer file...all this happens automatically

according to the recorded script”(Fig. 5). It would have been obvious to one of ordinary skill in the art at the time of the invention for the structured document system of the modified Motoyama to have embedded the URL in computer code as taught in Maslov, because Maslov taught that by storing and reading the URL from embedded code, the system was provided the benefit of being able to automatically return to the source document periodically (column 9, lines 53-67: “automatically...run the script automatically according to a time table”).

8. Claims 2-7 and 9-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama et al (US-6,009,436 12/28/99) in view of Bata et al (US-6,901,403 05/31/05) in view of Maslov (US-6,538,673 03/25/03) in further view of Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 (Hereafter FrontPage)..

-In regard to dependent claim 3-7, 9-22, and 27, the document processing systems of Motoyama and Bata teach a command language set for processing XML documents but do not specifically teach a command language set with the following functionally as taught by FrontPage. FrontPage teaches a command language set comprising:

- listing the contents of a folder (pp.6: i.e. opening the file shows a listing of its contents)
- changing folders and syntax for designating subfolders of folders (pp.6: i.e. opening different folders and changing the syntax by clicking the “+” or “-“ to open or close a folder)
- listing the contents of a file (pp.7: i.e. opening the file and listing the contents in the display window)
- selection and viewing of portions of a first markup language file (pp. 6 & 7: i.e. viewing selectable files and folders and their corresponding markup file)

-listing the attributes of a hypertext markup language tag (pp. 5: i.e. listing the “HTML” view of a file)

-treating the contents of a file as a local variable when a directory pathname for the file is referenced (pp. 7: i.e. “members.htm” file and contents are downloaded and thus local variables to the client)

-treating an attribute of a file as a local variable when a directory pathname is referenced (pp. 5: i.e. file and attribute contents are downloaded and thus local variables to the client)

-making new folders in the directory structure (pp. 8: “New Folder”)

-making new files in the directory structure (pp. 9: “New Page”)

-copying folders in the directory structure (pp. 10: “Copy”)

-recursively copying folders in the directory structure (pp. 18: “images_copy(1)” & “images_copy(2)”)

-copying files in the directory structure (pp.11: “Copy”)

-recursively copying files in the directory structure (pp. 18: “search_copy(1)” & “search_copy(2)”)

-renaming folders in a directory structure (pp. 12: “Rename”)

-renaming files in a directory structure (pp. 13: “Rename”)

-creating new files through redirection of an output command (pp. 9: “New Page”)

-setting a file value (pp. 14: i.e. File Renaming or Title Changing)

-saving the modified file to disk (pp. 15: “Save” or “Save As”)

-outputting the modified file to a standard output (pp. 16: “Print”)

-creating HTML documents containing references to tag variables (pp. 19: i.e. downloaded HTML website), allowing insertion into a markup document the contents of a file from a second markup language document (pp. 20: i.e. Allowed for the insertion of file “search.htm” into the first HTML document).

It would have been obvious to one of ordinary skill the art at the time of the invention for the document mapping and transformation system of Motoyama to have included the additional commands of the command language set as taught by FrontPage, because FrontPage taught that by providing command language functionality to stored documents, the user of Motoyama could more easily manipulate and edit the content of any stored document.

-In regard to dependent claims 23-26, Motoyama and Bata do not teach but FrontPage teaches where said command language set allows creation of a batch file containing a subset of commands (pp. 17: “Publish to Web” or “Preview in Browser”: i.e. Publishing or Previewing a folder creates a file that executes a subset of commands to execute the publishing or previewing to all files in the folder) and defining local variables for processing in conjunction with variables and attributes of the files (pp. 14: i.e. File Renaming or Title Changing & Fig. 5: Variables & Attributes one of the files). FrontPage also teaches comprising a command for loop processing (pp. 17: i.e. Publish to Web commands open-looped processing of all the files selected to be published) and jumping to a new location within the file and resuming execution at a new location via the inner file links (pp. 4: Links “More help”, “Missing terms”, etc.). It would have been obvious to combine the teachings of Motoyama with said features of FrontPage for the same rational as provided above.

-In regard to dependent claim 2, Motoyama and Bata do not teach but FrontPage teaches wherein the MakeAbs Method can be used to convert relative uniform resource locations into absolute uniform resource locations (“Converting Relative and Absolute URL’s,” pp.1-2 <http://msdn.microsoft.com/library/default.asp?url=/library/en-us/off2000/html/fphowURLs.asp>). FrontPage doesn’t teach wherein the conversion was done automatically. It would have been obvious to one of ordinary skill in the art at the time of the invention for FrontPage to have converted all relative URLs to absolute URLs, because FrontPage teaches that the recommended addressing for FrontPage was absolute addressing (“Converting Relative and Absolute URL’s,” pp. 1-2 <http://msdn.microsoft.com/library/default.asp?url=/library/en-us/off2000/html/fphowURLs.asp>). It would have been obvious to combine the teachings of Motoyama with said features of FrontPage for the same rational as provided above.

9. Claim 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama et al (US-6,009,436 12/28/99) in view of Bata et al (US-6,901,403 05/31/05) in view of Maslov (US-6,538,673 03/25/03) in view of Microsoft FrontPage 2000, Screen Shots, 12/31/99, pp. 1-20 in further view of Leblang et al (US-5,574,898 11/12/96).

-In regard to dependent claim 8, the combination of Motoyama, Bata, and FrontPage does not teach wherein its “Open” command in the command set includes adding wildcards in the pathname. Leblang et al teaches wherein adding wildcards to pathnames was well known in the art at the time of the invention (column 11, 18-20). It would have been obvious to one of ordinary skill in the art at the time of the invention for FrontPage to have allowed wildcards in

any "Open" pathname, because Leblang et al teaches wherein wildcards in pathnames allow for the matching of many similar names and would thus allow the finding and opening of files that would generally be of the same type or related in some fashion.

10. Claims 29, 32, 35, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama et al (US-6,009,436 12/28/99) in view of Bata et al (US-6,901,403 05/31/05) in further view of Maslov (US-6,538,673 03/25/03) in further view of Plassmann et al (US-6,549,952 04/15/03).

-In regard to dependent claims 29, 32, 35, and 38, the modified Motoyama reference does not teach or suggest wherein said URL is read from a browser via a CGI transaction and/or wherein said URL is an environmental variable. Plassmann teaches wherein said URL is read from a browser via a CGI transaction and/or wherein said URL is an environmental variable (column 1, lines 47-61: "CGI programs...return dynamic information...respond to HTTP browser input"; column 2, lines 17-26: "passing...environmental variables"; column 3, line 56-column 4, line 20; column 4, line 64-column 5, line 13: "CGI programs...used to return dynamic information...browser input...passes only certain environmental variables to the CGI program...may contain...the URL"). It would have been obvious to one of ordinary skill in the art at the time of the invention for the URL of the modified Motoyama reference to have been read via a CGI transaction and/or wherein said URL is an environmental variable as taught in Plassmann, because Plassmann taught that said functionality provided the benefit of enhancing the functionality of an HTTP server (column 2, lines 17-26) as well as saving storage space and improving security (column 5, lines 1-9).

11. Claims 33 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama et al (US-6,009,436 12/28/99) in view of Bata et al (US-6,901,403 05/31/05) in further view of Maslov (US-6,538,673 03/25/03) in further view of Nielsen (US-6,510,461 01/21/03).

-In regard to substantially similar dependent claims 33 and 39, the modified Motoyama does not specifically teach wherein said URL is in a local variable. Nielsen teaches storing URLs as local variables (column 16, lines 30-45: "copies the URL...as a local variable")(Fig. 6A: 606). It would have been obvious to one of ordinary skill in the art at the time of the invention for the URL of the modified Motoyama reference to have been a local variable, because Nielsen taught that storing URLs as local variables provided the benefit of easily accessing the URLs from a list for future automatic reference and use (column 2, line 63-column 3, line 20: "automatic way to retrieve...at a subsequent time...placing it in a list for subsequent use").

12. Claims 34 and 40 rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama et al (US-6,009,436 12/28/99) in view of Bata et al (US-6,901,403 05/31/05) in further view of Maslov (US-6,538,673 03/25/03) in further view of Cohn et al (US-7,266,512 09/04/07).

-In regard to substantially similar dependent claims 34 and 40, the modified Motoyama does not specifically teach wherein said URL is in a global variable. Cohn teaches storing URLs as global variables (column 23, lines 47-64: "store this URL in a global variable"). It would have been obvious to one of ordinary skill in the art at the time of the invention for the

URL of the modified Motoyama reference to have been a global variable, because Cohn taught that storing URLs as global variables provided the benefit of accessing content on web servers whose URL may change over time (column 23, lines 47-64: "URL may change over time...global variable...replaces those tags with appropriate definitions").

Response to Arguments

13. Applicant's arguments with respect to the independent claims have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e. Remarks: Page 9: "This distinguishing characteristic...in summary form for an end user") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ADAM BASEHOAR whose telephone number is (571)272-4121. The examiner can normally be reached on M-F: 8:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Adam L Basehoar/
Primary Examiner, Art Unit 2178